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If the defendant truly wishes to waive the assistance of counsel on the second charge, there should be no objection to a brief interruption for him to discuss that waiver with an independent advisor.

The fact that some defendants do not have an existing attorney, whether it be for business or personal matters or for other criminal charges, does not support the proposition that clients who do not have attorneys should be denied the assistance of counsel in deciding whether or not to proceed with counsel.

The courts are charged with implementing the provisions of the constitution in regard to the assistance of professional counsel rather than limiting that right.

Most used car buyers will take a used car to their neighborhood mechanic; the rights of a criminal suspect should be no less.

Once a first or multiple offender requests counsel, be it existing counsel or new counsel, the right to counsel cannot be waived and should not be waived without a full understanding of the law.

James M. Kerrigan
Ithaca

Foundation Memorials

A fitting and lasting tribute to a deceased lawyer can be made through a memorial contribution to The New York Bar Foundation. This highly appropriate and meaningful gesture on the part of friends and associates will be felt and appreciated by the family of the deceased.

Contributions may be made to The New York Bar Foundation, One Elk Street, Albany, New York 12207, stating in whose memory it is made. An officer of the Foundation will notify the family that a contribution has been made and by whom, although the amount of the contribution will not be specified.

All lawyers in whose name contributions are made will be listed in a Foundation Memorial Book maintained at the New York State Bar Center in Albany. In addition, the names of deceased members in whose memory bequests or contributions in the sum of $1,000 or more are made will be permanently inscribed on a bronze plaque mounted in the Memorial Hall facing the handsome courtyard at the Bar Center.

Contributions to the Foundation are tax deductible.